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HOUSE JOINT RESOLUTION NO. 636

Offered January 9, 2019

Prefiled January 7, 2019

Requesting the Department of Social Services to study the creation of a database and resource to obtain background information on personal caregivers. Report.

Patron—McGuire

Referred to Committee on Rules

WHEREAS, an increasing number of individuals who are elderly or have a disability are hiring personal caregivers to provide in-home services rather than employing the services of a nursing home or assisted living facility; and

WHEREAS, depending on the nature of the services provided, many of the individuals providing such personal caregiver services are not licensed or regulated; and

WHEREAS, many personal caregivers have unsupervised contact with the person for whom they are providing care, as well as unsupervised access to their homes and personal belongings; and

WHEREAS, in many instances, personal caregivers have abused the level of trust granted to them through such unsupervised roles, which has led to an increasing number of complaints involving abuse, neglect, exploitation, and theft; and

WHEREAS, due to the unsupervised nature of personal caregiver services and the importance of such services, it is vital that individuals employing personal caregivers have a means to acquire important background information about the personal caregiver; and

WHEREAS, a hotline or similar resource through which an individual could obtain criminal history records and other information regarding the personal caregiver would help such individuals to make informed decisions in choosing a caregiver and may help to lower the number of cases in which personal caregivers abuse, neglect, or exploit their clients; and

WHEREAS, a study by the Department of Social Services, in consultation with other state agencies, regarding the creation of a database to foster such a hotline or resource may help to better ensure the safety of individuals in the Commonwealth using personal caregiver services; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Department of Social Services be requested to study the creation of a database and resource to obtain background information on personal caregivers.

In conducting its study, the Department of Social Services (the Department) shall (i) study the feasibility and cost of creating a database and resource through which individuals seeking to employ a personal caregiver could obtain comprehensive background information regarding the prospective caregiver, including the results of a national criminal history background check and a search of the central registry maintained pursuant to § 63.2-1515 of the Code of Virginia, the Sex Offender and Crimes Against Minors Registry maintained pursuant to § 9.1-902 of the Code of Virginia, and any employee disqualification lists maintained by state agencies, and (ii) consult with the Department for Aging and Rehabilitative Services, the Department of Behavioral Health and Developmental Services, the Department of Health, the Department of State Police, and other interested stakeholders.

All agencies of the Commonwealth shall provide assistance to the Department of Social Services for this study, upon request.

The Department of Social Services shall complete its meetings by November 30, 2019, and shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2020 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

INTRODUCED

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